

9.0 IMPLEMENTATION

9.1 Toward a Comprehensive Implementation Strategy

A fundamental underpinning of this Specific Plan is that the physical and economic revitalization of University Avenue is dependent upon a comprehensive implementation strategy. To this point of the plan, several "core" areas of improvement to the Avenue have been detailed, including:

- ! Chapter 4 - The University Avenue Specific Plan Vision
- ! Chapter 5 - Circulation / Streetscape Standards & Guidelines for Public Property
- ! Chapter 6 - Land Use Regulations
- ! Chapter 7 - Development Standards
- ! Chapter 8 - Design Standards and Guidelines

Together, these five preceding chapters of the Specific Plan represent a framework for long-term physical change on University Avenue.

In addition to this fundamental long-term strategy, many other implementation strategies are incorporated into the plan to help achieve a comprehensive approach aimed at facilitating a "demonstrable" change on the Avenue--especially in the short term. Further, the economic makeup of University Avenue, particularly the extent to which new investment can be achieved, ultimately will be at the heart of any successful revitalization effort. Accordingly, this chapter of the Specific Plan describes implementation strategies that are primarily targeted at the economic base of the Avenue.

9.1.1 Defining a Target Area for Action

The City's and Redevelopment Agency's earlier work by way of the *University Avenue Strategic Plan* was a focused attempt to define priority actions for the Central Industrial Redevelopment Project area, of which University Avenue is a major part. The strategic plan served to point out that the future of University Avenue would be, to a significant extent, defined by the success of public policy in rebuilding the economic base. No less valuably, the strategic plan also served as a springboard to this Specific Plan with its focus on both physical and economic planning and development issues.

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Yet, from an implementation point of view, attainment of the plan's goals rests on anticipated success in defining a "target area" where the collective, and otherwise potentially disparate, energies and resources of the City can be brought together in a unity of action. The much-stated role of University Avenue as a corridor connecting UCR and Downtown implies that it is a street of citywide importance. Furthermore, in light of the City's long-established priority for ensuring the vitality of its Downtown, means that the freeway-to-freeway crescent--the swath between the 60 Freeway at UCR to the 60 Freeway north of Downtown--with all its cultural, historic and economic importance, represents an area that should be defined for targeted, concerted, and coordinated action.

9.2 Physical Upgrading of University Avenue's Image

Much of University Avenue's history is rooted in the automobile. From state highway days to raceway days, University Avenue has supported the traveling public. As its economic role has changed, it has become clear that the urban design strategy being pursued for the Avenue should change as well.

This plan has stressed the connective role University Avenue plays linking UCR and Downtown. This is a new challenge for the corridor as it moves into the 21st century. However, a challenge also exists to avoid the post-World War II planning policies experienced on a national level that have led to land-expansive urban sprawl.

University Avenue's historic economic role notwithstanding, its ability to help sponsor a sense of community has been limited. A wide street, poorly landscaped, and dominated by strip commercial uses--many of which serve a highly limited market--has produced a somewhat barren landscape and a street that fails to provide meaningful support to the community and its adjoining neighborhoods. University Avenue's urban disenfranchisement and undefined streetscape, exacerbated by the hermeticism of modern day suburban residential and shopping enclaves makes its future doubtful absent an urban design strategy for the street.

9.2.1 Streetscape

The Streetscape Plan is the major unifying element for University Avenue. The University Avenue Streetscape Committee of the University/Canyon Crest Division of the Greater Riverside Chambers of Commerce has been actively working to obtain support of the property owners along University Avenue for an assessment district to fund the Streetscape Plan.

On July 7, 1992, the City Council and Redevelopment Agency directed that implementation of a first phase of University Avenue streetscape improvements take place. This action represents a watershed point in the prospects for dramatically altering the declining physical appearance of the Avenue so as to present a positive image that will act to attract investment in the corridor.

Although authorized, final decisions will still be required as to the final mix of funding sources for the first phase improvements, and funding will need to be identified for second phase improvements in order to complete the streetscape work from UCR to Park Avenue.

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Additional steps to implement the Streetscape Plan include:

- ! Implementation of the streetscape concept in the context of the General Plan requires that there be no widening of University Avenue beyond four lanes except as needed for bikeways, bus bays and at major intersections.
- ! The Public Works Department should coordinate with Caltrans to eliminate the free right-turn ramp with I-215 to improve pedestrian circulation to UCR.
- ! The Public Works Department should coordinate with Caltrans to permit additional landscaping of Caltrans rights-of-way to create a gateway at University Avenue and I-215.
- ! The Streetscape Committee of the Chamber of Commerce and the Development Department are to work together to inform adjacent property owners of the streetscape concept for University Avenue, the potential assessments, and to determine the amount of support.
- ! If the Redevelopment Agency's University Village project at Iowa Avenue or another major project along University Avenue is underway before the assessment process is approved, those developments have the potential to serve as demonstration projects for streetscape implementation.
- ! The City should continue to look for other sources of local, state, or federal funds, in addition to Measure A monies, to fund all or a portion of the streetscape improvements, thereby minimizing reliance on an assessment district for more than ongoing maintenance.
- ! The City should establish an assessment district for construction and/or maintenance in order to further augment funding of streetscape improvements.
- ! Detailed work toward implementation of Phase II streetscape improvements should be started as early as practical upon initiation of Phase I improvements.

Overall, the contemplated improvements to the University Avenue streetscape are a crucial component of the Avenue's revitalization.

9.2.2 Property Maintenance

Property maintenance was the single-most discussed topic among members of the Mayor's Task Force and the University Avenue Citizen Task Force in the meetings associated with the preparation of this plan. Currently, property maintenance concerns in the City of Riverside are addressed in a number of ordinances, including, but not limited to, the following chapters, or portions thereof, of the Riverside Municipal Code: Chapter 6.04, Garbage and Waste Matter; Chapter 6.12, Dead Animals; Chapter 6.15, Abatement of Public Nuisances; Chapter 6.16, Fly-Producing Conditions; Chapter 6.20, Mosquitoes; Chapter 6.22, Rodent Control; Chapter 9.16, Litter and Littering; Chapter 9.18, Graffiti Abatement; Chapter 9.28, Abandoned, Wrecked or Inoperative Vehicles; and Chapter 19, Zoning.

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While many aspects of property maintenance are currently addressed through the Municipal Code, some critical areas, most notably building and landscape maintenance, are largely absent. Further, it is difficult for a property owner to understand specific duties with regard to maintenance of property and it is cumbersome for the City to administer so many varied and disjointed standards for maintenance of property.

At one time it was proposed that a unified property maintenance ordinance be written specifically for University Avenue. In consultations with the City Attorney, however, it was determined that this ordinance would be more appropriate citywide. It is recommended that a new citywide property maintenance chapter of the Riverside Municipal Code be prepared which incorporates all relevant property maintenance concerns into a cohesive body of property-owner responsibilities, including procedures for abatement and imposition of city sanctions.

The new chapter should organize property owner maintenance responsibilities and prohibited activities into broad headings of related topics such as (1) Landscape Maintenance, (2) Maintenance of Main Buildings and Accessory Structures, (3) Vehicles, and (4) Waste. Additional sections of the chapter should detail the procedures of the City's notification of a property owner that a prohibited condition exists, extensions of time to perform the work to abate the condition, and the owner's rights of appeal. Should the property owner fail to remedy the maintenance problem, the ordinance should empower the City itself to abate the problem after a suitable period and assess the costs against the owner and collect the costs with the property taxes.

As a further deterrent, it is recommended that the ordinance establish a violation of the property maintenance ordinance as a criminal misdemeanor; the point being that successful change in the physical appearance of University Avenue requires property maintenance standards that can be successfully applied, communicated, administered and enforced.

9.2.3 Code Compliance

On-going success with the physical and visual transformation of University Avenue will require a commitment to effective communication of the maintenance standards, as well as a willingness on the part of the City to help ensure compliance with the full spectrum of applicable codes. Regular and dedicated code compliance support is crucial toward ensuring that a common expectation is established for the quality of the Avenue.

Code compliance support is also instrumental in helping to avoid disillusionment among property owners who may come to feel that "others" are not carrying their fair share of responsibility in maintaining a positive image to the street. It is also the primary means by which the City can ensure ongoing compliance with zoning, specific plan, and related development approvals and authorizations.

To achieve its code compliance objectives for University Avenue, the City should:

- ! Provide targeted and dedicated code enforcement on a regular basis in addition to complaint-based enforcement.

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- ! Provide the resources necessary to staff the desired level of service.
- ! Ensure that an effective public relations effort takes place in tandem with code compliance enforcement so that expectations as to the desired level of quality are adequately communicated.

9.2.4 Historic Resources

Eighth Street Historic Core

Section 8.4.1 identified the potential within Subdistrict 1 to use preservation and adaptive reuse techniques in order to retain the remaining structures of historical value. Anchored on the east at Kansas Avenue by University Heights Junior High School (Riverside Community Center), a Cultural Heritage Landmark, and on the west by several turn-of-the-century residences situated between Sedgwick and Victoria Avenues, a sufficient mass of historically significant structures remain in this area as to warrant critical consideration for preservation. Such an effort, suitably implemented, could represent a distinct opportunity to blend the historic value of "old Eighth Street" with the economic revitalization needs of this particular subdistrict.

In addition, vacant lots and potential redevelopment sites in this area provide opportunities for the relocation of threatened historic structures from other areas and compatible new infill which reflects the historic character-defining elements of the existing structures and scale. Moreover, through a concerted effort of reinvestment and improved reuse, significant opportunities exist to introduce widely appealing commercial uses while clearly expressing the importance of University Avenue (Eighth Street) in the evolution of the City's historic Eastside community.

Motor Court Era

Some of the best remaining examples of University Avenue's motor court days can be found in the area between Cranford and Iowa Avenues. Here, two properties, in particular, remain reminiscent of the tourist-serving era when University was the "state highway through town." The Hacienda and Farm House motels represent a style of commercial architecture that has been successfully preserved in other communities, such as Phoenix, while being adaptively reused for contemporary purposes.

Together with the historic Weber House, on the south side of University Avenue in this area, these motor-court-era examples represent significant additional historic preservation opportunities along University Avenue that can be used to markedly upgrade University Avenue's physical image.

The Cultural Heritage Board has expressed a strong interest in the potential of this area developing around a historic theme, or perhaps even becoming a historic district. The first step in initiating this process would be for the Cultural Heritage Board staff to produce a slide record of all residential structures along University Avenue, between Park Avenue and I-215, so that the boundaries of a potential district or historic theme area could be determined and so that all structures meriting special designations could be documented and so designated.

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9.2.5 Monitoring

Between the suggested streetscape program, serious property maintenance, dedicated code enforcement, and the standards for new development provided for in the earlier chapters of this Specific Plan, a major change in the physical appearance and image of University Avenue should be attainable. Nevertheless, implementation of the plan should also provide for monitoring of the street for signs of distress. Whether it be potential problems in graffiti accumulation, delays in upkeep or any other symptoms of decline which, if left unattended, could result in entrenchment of physical blight, regular monitoring of the Avenue's physical health should take place.

In addition, active dissemination of public information should take place to help ensure that key information is regularly made available to property and business owners as to the City's efforts and requirements in its pursuit of University Avenue improvement.

9.3 Stimulating New Investment

9.3.1 New Investment in Perspective

The background analysis for University Avenue prepared in connection with this plan and other studies clearly point to a street whose economic underpinnings have markedly changed over the years. The Avenue's earlier economic makeup, which spawned a visitor-serving corridor, has been largely replaced with a locally-based economy serving a limited sphere of influence. The Avenue's future, however, will largely be a function of external factors which "induce" economic changes on the Avenue, as well as investment decisions--largely public--which work to "create" a new economic environment.

Riverside is not a stranger to the concept of planning for a sound and stable local economy. For example, in the mid-seventies, an economic base study was prepared by Development Research Associates which examined the broader local economy together with specialized assessments of key sectors. The study provided the City with a means to better anticipate and plan for emerging economic patterns.

University Avenue today is in a similar position of needing a focused look at its economic future. Growth at its two ends--UCR and Downtown--is likely to be the "engine" that drives and induces future changes. That is, while current demand for diversified commercial space on University Avenue is very limited, economic expansion at both ends of the corridor should result in increased activity and demand for goods and services along the entire length of the Avenue. UCR's student growth translates into additional faculty positions, support staff, service needs, and other economic generators. Downtown growth may mean additional employment, destination shopping and entertainment, as well as new institutions that may draw people to the area, such as through the formation of an arts district.

While the preceding economic factors are likely to induce economic changes along University Avenue, other potential exists for public policy to help create a new economy on the street. Publicly-driven investment decisions, primarily facilitated by the City's Redevelopment Agency, have the potential to directly shape the economic future of the Avenue. Major "node" projects, in

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particular, fall into this category. University Avenue's Iowa, Chicago, and Park Avenue intersections, which largely shaped the Specific Plan's subdistricting concept, are the locations at which public-private "anchor" projects should take place.

At Park Avenue, the emerging Riverside Marketplace development needs to be further implemented. At Chicago Avenue, it is the updating of an outmoded shopping complex that needs rejuvenation into a modern-day mixed-use project. At Iowa Avenue, it is the potential to exploit university proximity into a "village" project that can be both university-serving and a draw for the broader community. Without the encouragement of public investment in these catalytic projects, the pace of economic change on University Avenue is likely to be glacial.

To be sure, while the University Avenue Specific Plan is more easily targeted toward land-use-related issues--affecting new development, as well as the existing land use makeup of the street--sustainable economic change on the street must await future growth: expansion of core economic generators that will induce changes on the Avenues, and investment decisions that will help create an economic transformation. In either case, the Specific Plan should be seen as a mechanism for anticipating future economic changes on the Avenue by putting into place a landmark planning effort today.

9.3.2 Redevelopment Programs

The Specific Plan will be implemented, in large part, by developers and property owners within the context of Riverside's redevelopment process and programs. The University Avenue Specific Plan is part of the Central Industrial Redevelopment Project. The use of redevelopment programs and authority is especially important for Specific Plan implementation. In particular, most potential redevelopment undertakings can help achieve multiple objectives. For example, efforts that are targeted to improve physical conditions through the elimination of blight are also likely to improve business conditions on the Avenue, either directly or indirectly.

Using the project area's authority, targeted implementation programs can be established for many specific purposes, including:

- ! **Facade Improvement.** Significant improvement to the appearance of University Avenue can be achieved by assisting property and business owners with building facade improvements.
- ! **Sign Abatement/Improvement.** Conversion of nonconforming signs to new conforming signs would aid with the visual appearance of the Avenue. The Agency can assist with the cost of such actions which otherwise are difficult investments for businesses to make.
- ! **Tenant Assistance.** In connection with commercial revitalization, especially in existing centers, tenant assistance to help with either business establishment or retention is available.

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- ! **Block Consolidation.** Especially in Subdistrict 1, the Agency may be instrumental in facilitating block consolidation through selective acquisitions, especially in connection with other efforts, such as land use conversions and abatements, or streetscape improvements.
- ! **Nonconforming Use Conversion/Abatement.** Through the acquisition efforts of the Agency, significant gains can be achieved in facilitating the transition of outmoded or problematic land uses to new economic uses.
- ! **Streetscape.** Through its ability to assist with public improvements to the Avenue, the Agency can be instrumental in facilitating the University Avenue streetscape program.
- ! **Code Compliance.** Other efforts of the Agency in promoting and financially assisting code compliance services can be a model for such an effort on University Avenue.
- ! **Targeted Property Assembly.** Much of University Avenue is characterized by land use and subdivision characteristics which make conversion to more productive uses difficult or nearly impossible. Targeted property assembly can help facilitate conversion, elimination of blighting influences, and stimulate new economic investment.
- ! **Neighborhood Conservation and Housing.** The viability of adjoining neighborhoods will have a long-term influence on the economic health of University Avenue. To the extent that those neighborhoods are targeted for rehabilitation and conservation efforts, direct benefits to the Avenue can be expected.
- ! **Commercial Revitalization.** The three principal commercial nodes within the specific plan area should receive particular attention for commercial revitalization. They are University/Iowa, site of a likely "University Village" project; University/Chicago, where revitalization of the economically obsolete Town Square Shopping Center is of great importance; and University/Park, where a planned neighborhood-oriented commercial center will interface with the Marketplace development.
- ! **Small Business Development.** Significant economic investment along University Avenue can be expected to be derived from small business development. University Avenue has the potential to be an important "incubator" for small businesses needing a place to get started. Assistance from the Agency on matters such as parking and off-site improvements can be helpful in promoting a positive climate for investment to take place. The Agency can also assist in coordination with Community Reinvestment Act (CRA), Small Business Administration (SBA), job training and other similar types of programs.
- ! **Technical Assistance.** Assistance from the Agency in technical matters, such as architectural, engineering, and design services, can help businesses and property owners with land use improvement decisions which thereby result in a betterment of the image of the Avenue.
- ! **University-Related Economic Development.** Growth of UCR will be a major "engine" driving related economic expansion along University Avenue. Significant opportunities

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will exist in areas such as university-related housing, shopping, and off-campus siting of facilities, so as to capture the investment potential of the campus in stimulating new economic investment.

- ! **Low Interest Loans and Assistance with City Fees.** For existing businesses wishing to upgrade in accordance with the Specific Plan, the Agency could offer low interest loans as well as assistance in the payment of City fees.

Financial mechanisms which may be utilized by the Redevelopment Agency and/or City of Riverside to fund catalytic improvements and support the above-noted programs include:

- ! Tax increment financing
- ! Loans and grants
- ! Developer land payments
- ! Other tax revenues including sales tax, bed tax, gas tax and others
- ! Bonding for capital improvements through bond acts such as Mello-Roos
- ! Project area management, especially the merger of the Central Industrial and Sycamore Canyon redevelopment project areas
- ! Development fees
- ! Fines and forfeitures
- ! Transportation funds including LTF, Sections 4 & 8, and Measure A
- ! Assessment districts

9.3.3 Local Enterprise Zone

Currently, a portion of the City's Central Industrial Redevelopment Project area is designated a "Local Enterprise Zone," within which new and expanding businesses may gain financial advantages for investing in the area. This local zone is an extension of the City's collaborative effort in the state-designated Agua Mansa Enterprise Zone. Through the local enterprise zone designation, the City extends favorable tax consideration in areas such as business license and utility user taxes.

To encourage new economic investment in University Avenue, an extension and expansion of the local enterprise zone concept to University Avenue could help encourage new business investment and property improvement consistent with the goals and objectives of the Specific Plan. In areas such as local business taxes and development fees and costs, the City has the potential to provide incentives for an overall upgrading of the business climate on the Avenue.

The City and Redevelopment Agency should also monitor changes taking place at both the state and federal levels to exploit opportunities that may present themselves for designations which could be sought for University Avenue which would further expand the potential for using economic advantages to encourage urban revitalization.

9.3.4 Mixed-Use and Consolidated Block Incentives

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In order to encourage "demonstrable" changes to take place in accordance with the overall vision for University Avenue, incentives are built into the development standards provided for certain types of developments that consolidate parcels along University Avenue. These incentives are directed at encouraging cohesive, quality developments with a mix of permitted uses that are linked by pedestrian connections; have extensively landscaped parking areas and pedestrian amenities; and reduce access points directly from University Avenue. Development intensity bonuses and shared parking incentives are examples of the direct encouragement provided in this plan for block consolidations and mixed-use developments. (Tables 5 and 6 in Section 7.0 list mixed-use development standards which embody these incentives.)

9.3.5 Incentives for the Elimination of Nonconforming Uses

Providing assistance through incentives for nonconforming uses to be eliminated or converted to new conforming uses will be an important ingredient in encouraging new economic investment on the Avenue. Programs which are readily available for this purpose include the City's existing redevelopment effort; development cost reduction concepts, which could be an extension of the local enterprise zone concept noted earlier; and land use intensification incentives, such as those which could be part of a block consolidation development proposal.

Although these concepts can form a core set of incentives for the elimination and/or conversion of nonconforming uses, future periodic evaluations of the Specific Plan that examine implementation effectiveness should consider the need for amendments, as may be appropriate, to help ensure that a sufficient range of tools are available to continue encouraging nonconforming use elimination. In addition, the City should look to opportunities as they may arise with other planning and zoning actions to further encourage nonconforming use conversion. One such opportunity may arise as a result of actions which may be taken by the City in connection with amortization and abatement of nonconforming uses and structures, as discussed in Section 9.4 of the Specific Plan.

9.3.6 Catalytic Development Projects

The University Avenue corridor will need to be anchored by "catalytic" development projects. The previously-prepared *University Avenue Strategic Plan* identified some of these projects, including the mixed-use development projects at University/Iowa and University/Chicago. In addition to consolidated block developments, these future efforts represent the best hopes for creating a new investment perception to University Avenue. Without visible change combined with economic investment of sufficient critical mass, it will be difficult to create a self-sustaining movement toward economic transformation.

9.4 Related Land Use Policies & Procedures

9.4.1 Nonconforming Uses and Structures

This Specific Plan will create several nonconforming uses along the University Avenue corridor in addition to nonconforming uses which may already exist. Generally, nonconforming uses are land uses which were lawfully established at a particular point in time, but which would not be considered permitted land uses under current zoning regulations. Nonconforming uses must be

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distinguished from nonconforming structures. The latter pertains to the physical development of a property in contrast to the actual land use or activity that is taking place.

The Specific Plan's discussion of nonconforming uses and structures is advisory only. The concepts contained in this section are intended to represent a framework by which future, citywide changes to the Zoning Code might be structured. In particular, the plan's objective is to illustrate how changes to the nonconforming uses portion of the Zoning Code could be handled in order to help achieve those land use objectives which are especially relevant to the revitalization of University Avenue.

As a starting point, the Zoning Code provides the following definitions:

- ! **"Nonconforming Use"** means a use of a building or land, which use was lawfully established, but which does not conform to the regulations of [the Zoning Code].
- ! **"Nonconforming Structure"** means a structure or a portion thereof which was lawfully established, but which does not conform to the regulations of [the Zoning Code].

Additionally, Chapter 19.66 of the Zoning Code constitutes the "Nonconforming Uses" section of the Riverside Municipal Code. In general, the existing chapter provides that any nonconforming use or structure may be continued indefinitely unless, (1) a nonconforming use is changed to a different use, or (2) a nonconforming use is discontinued for a continuous period of one year, or (3) a nonconforming structure containing a nonconforming use is destroyed by fire, explosion, act of God or the public enemy, and permits are not obtained and commencement of repairs or reconstruction is not commenced on a same or smaller size building within a year after the destruction.

Although the Zoning Code generally allows nonconforming uses and structures to be continued indefinitely, a more practical operational issue pertains to alterations to nonconforming uses and structures. In this regard, the Zoning Code essentially groups the two nonconformity types--uses and structures--together. Structural alterations to buildings that contain a nonconforming use require a conditional use permit regardless of whether the structures are conforming or nonconforming.

Similarly, except for routine maintenance and repair work, any structural alteration, reconstruction or enlargement of a nonconforming building *or improvement* requires the granting of a conditional use permit. Further, any expansion of either a nonconforming use or nonconforming structure also requires the granting of a conditional use permit. In the latter case, the Planning Commission is specifically authorized by the Zoning Code to consider operational constraints on the nonconforming uses as part of the conditional use permit process.

The treatment of nonconforming uses and nonconforming structures is vitally important to the long-term revitalization of University Avenue and to the ultimate success of the Specific Plan in being a vehicle for positive physical, economic, and social improvement along the Avenue. In particular, the Specific Plan recognizes that:

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- ! Business and property owners along University Avenue need incentives and encouragement to physically improve their properties. The City's approach to nonconforming uses and structures can help create an initial set of expectations as to University Avenue's future--that change will indeed be taking place.
- ! Achieving a self-sustaining process of physical improvement along the Avenue, in part, depends upon the creation of a genuine perception among business and property owners that *other* properties are being changed and upgraded for the better.
- ! The transformation of nonconforming land uses to new economic pursuits can be encouraged through a clearly articulated statement of expectations. Providing a predictable and reasonable time frame in which to recover investments in nonconforming uses can create an atmosphere of expected change along the Avenue and a conducive environment for new investment.

It is recommended that a new citywide, nonconforming uses section of the Riverside Municipal Code be prepared by the City that establishes specific criteria and procedures for the continuance and **abatement** of nonconforming land uses, buildings, structures and improvements. The new chapter should make a clear distinction between (1) changes to nonconforming land uses, (2) changes to nonconforming buildings, structures and improvements, and (3) abatement of nonconforming land uses. The concepts described in the following sections are advisory comments only to illustrate changes that could be considered when a citywide code amendment is processed in the future.

(1) Nonconforming Land Uses.

(a) Termination of Nonconforming Land Uses. With regard to nonconforming land uses, it is recommended that consideration be given to terminating the right to continue a nonconforming use and requiring the use to fully conform to current regulations when any one or more of the following events occur:

- ! Expiration of the period of time provided for abatement of the nonconformity.
- ! Change of a nonconforming use to a different use or addition of a new use which is not permitted.
- ! Interruption or discontinuance of a nonconforming use for a period of ninety (90) days.
- ! Unauthorized expansion, enlargement or change in the nonconforming land use or any building, structure or improvement containing such use.

A nonconforming land use which is destroyed to the extent of no more than 50 percent of its replacement value at the time of its destruction by fire, explosion, other casualty, act of God, or the public enemy, could be permitted to be restored and the nonconforming use be permitted to continue if permits are obtained and reconstruction commenced within one year of the destruction.

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(b) Expansion of Nonconforming Land Uses. Expansion, intensification, change in the mode or character of a nonconforming use, or any other change to a nonconforming use which results in a greater level of activity to take place should not be permitted.

(c) Improvements to Nonconforming Land Uses. Within the University Avenue corridor, alterations of nonconforming land uses for purposes of safety or beautification should be encouraged and permitted provided there is no expansion of any nonconforming use as a result of the alterations, which might include the following:

- ! Nonstructural repairs and alterations limited to minor items not requiring a building permit such as painting, landscaping, fences, walls, and repairs;
- ! Landscape improvements, including installation of required street trees, sidewalks and walls, and the screening of parking;
- ! Signs, which replace existing nonconforming signs;
- ! Changes to interior partitions and/or other nonstructural repairs, provided that the cost of such improvements does not exceed one-half the replacement cost of the total property improvements over any five-year period, and further provided that the changes do not result in an expansion, intensification, change in mode or character of a nonconforming use, or any other change to a nonconforming use which results in a greater level of activity to take place; and,
- ! Structural changes which do not result in an expansion of the nonconforming land use, subject to the granting of a conditional use permit.

Other structural alterations to nonconforming land uses should be permitted only to the extent that the City determines that such alterations are immediately necessary to protect the health and safety of the public occupants of any structure containing such nonconforming land use or the adjacent property.

(2) Nonconforming Buildings.

(a) Continuation of Nonconforming Buildings. With regard to nonconforming buildings, structures and improvements, it is recommended that, as a general rule, the right to continue a nonconformity should be permitted to continue indefinitely. However, that right should be terminated and the property be required to fully conform to current regulations when any one or more of the following events occur:

- ! Expiration of the period of time provided for abatement of the nonconformity;
- ! Unauthorized expansion, enlargement or change in the nonconforming building, structure or improvement; or,

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- ! When a project review by the City, such as an action by the Design Review Board, provides an opportunity to eliminate existing nonconformities to the greatest extent possible without being contrary to the intent and purpose of the Specific Plan.

A nonconforming building or structure or other improvement which is destroyed to the extent of no more than 50 percent of its replacement value at the time of its destruction by fire, explosion, other casualty, act of God, or the public enemy, should be permitted to be restored if permits are obtained and reconstruction commenced within one year of the destruction.

(b) Expansion of Nonconforming Buildings. Expansion of buildings, structures or improvements, which are nonconforming with respect to height, intensity and/or setback should be permitted along the University Avenue corridor, provided that construction of new and/or expanded facilities is subject to the granting of a conditional use permit, which is contingent upon findings that all of the following conditions exist:

- ! The expansion will protect valuable property;
- ! The expansion will not adversely affect or be materially detrimental to the adjoining properties;
- ! There is a need for relief of overcrowded conditions or for modernization in order to properly operate a conforming use and protect valuable property rights; and,
- ! The expansion is consistent with the intent and purpose of the Specific Plan.

(c) Improvements to Nonconforming Structures. Within the University Avenue corridor, alterations of nonconforming buildings, structures and improvements for purposes of safety or beautification should be encouraged and permitted provided there is no expansion of any nonconforming structure as a result of the alterations, which might include the following:

- ! Repairs and alterations limited to minor items not requiring a building permit such as painting, landscaping, fences, walls, and repairs;
- ! Landscape improvements, including installation of required street trees, sidewalks and walls, and the screening of parking;
- ! Signs, which replace existing nonconforming signs; and,
- ! Changes to interior partitions and/or other nonstructural repairs, provided that the cost of such improvements does not exceed one-half the replacement cost of the total property improvements over any five-year period.

Structural alterations to nonconforming buildings or structures without a conditional use permit should be permitted only to the extent that the City determines that such alterations are immediately necessary to protect the health and safety of the public occupants of the nonconforming building or structure or the adjacent property.

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(3) Abatement of Nonconforming Land Uses (Amortization Period). The amortization period for any nonconforming land use, building, structure or improvement, except nonconformities due to absence of valid conditional use permits for all uses otherwise requiring such permit, should be determined on a case-by-case basis which considers a series of factors relevant to a weighing of the private loss versus the public utility, which factors include, but are not limited to the following:

- ! The amount of investment or original cost of the property to become nonconforming;
- ! The present, actual or depreciated value of this property;
- ! The dates of construction of the property;
- ! The amortization already determined, if any, for taxation purposes;
- ! The salvage value of the property;
- ! The remaining useful life of the property;
- ! The length and remaining term of the lease under which the property is maintained;
- ! The harm to the public if the structure remains standing beyond the prescribed amortization period;
- ! The nature of the surrounding neighborhood, and the value and condition of the improvements on neighboring premises;
- ! The nearest area to which the petitioner might relocate as a permitted use;
- ! The cost of such relocation;
- ! The relative value of the land and of the improvements separately; and,
- ! Any other reasonable costs which bear upon the kind and amount of damages which the petitioner might sustain.

Within the University Avenue corridor, it is recommended that the date of commencement of any nonconformity for abatement purposes be the date of issue of a formal notice of nonconformity by the City to the landowner.

In addition to any core program of nonconforming use amortization and abatement, the City Council should give consideration to a process, such as through conditional use permits, whereby existing, nonconforming uses along University Avenue may seek modification and/or suspension of amortization proceedings subject to either specified property improvements being accomplished, or certain use conversions taking place. The Avenue's extensive base of motels represents one category of potential physical upgrading and/or conversion opportunities which, if made available, could result in significant visual improvement to the corridor.

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Since a demonstrable upgrading of University Avenue is an important short-term objective of this Plan, such an adjunct to the contemplated amortization provisions could be a meaningful incentive to induce the upgrading and improvement of nonconforming uses. In particular, consideration should be given to establishing a framework in any permit process for applying both "operational" and "physical" improvement requirements which together can heighten the viability of the Avenue and its prospects for attaining long-term economic transformation consistent with the Specific Plan's goals and objectives.

(4) Conditional Use Permits Required. For all uses operating without a valid conditional use permit as of the date of adoption of this Specific Plan, which use requires such a permit subsequent to the plan, shall file application for a conditional use permit within 90 days of notification of nonconformity.

(5) Notification of Nonconformity. Successful implementation of this plan is predicated upon the notification of land use owners and operators, including property owners, of the City's determination that a nonconformity exists on a particular property.

9.4.2 Project Review Procedures

Successful implementation of the various land use regulations, standards and guidelines contained in this Specific Plan is predicated upon effective project review procedures in connection with routine review and approval of development proposals. Specifically, the plan requires:

- ! Rigorous review of all projects;
- ! Conformance with the Specific Plan for all development and business approvals;
- ! Authority to establish appropriate conditions of approval to ensure conformity with the plan;
- ! Durability of approved projects/conditions of approval;
- ! Responsibility of land owners and project applicants/operators, including:
 - Owners and applicants required to acknowledge acceptance of approval/conditions;
 - Conditions of approval may not be modified except by subsequent city action; and,
 - Land owners and applicants are jointly responsible to ensure adherence to conditions of approval
- ! Design review and approval is deemed a discretionary action for purposes of project review;
- ! Project approvals are conditional upon fulfillment of stipulated conditions;
- ! City may initiate reexaminations of project approvals;

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- ! Certificates of occupancy required for all new and modified uses; and,
- ! It shall be a violation of law to fail to comply with a conditional use permit issued in accordance with this Specific Plan and the Zoning Code.

9.5 Toward a New Urban Agenda

9.5.1 University Avenue in Its Broader Context

Although this specific plan has focused on University Avenue, a narrow ribbon stretching between giant anchors, UCR and Downtown, in reality, the corridor needs to be seen part-and-parcel with the Eastside Community which flanks the Avenue over most of its course. As goes the Eastside, so too will go University Avenue.

Perhaps so telling in this regard was a comment made by a University Avenue restaurant owner. She observed that despite her best efforts to maintain an attractive business establishment, street people--panhandlers, substance abusers, loiterers, people with time on their hands, and others--were driving business away. Regular and stable customers were beginning to avoid the facility in alarming numbers because they were avoiding the problems of the Avenue.

To the extent that the urban fabric of University Avenue mirrors conditions in its adjoining areas, success in reversing the economic decline of the Avenue will be determined by policies applied to both the Avenue and its surrounding community. In this sense, a new urban order for University Avenue will ultimately be reflected in actions that deal with core urban issues--jobs, housing, education, family, child care, self-esteem, empowerment and so forth. The cancers of urban life--unemployment, poverty, poor education, substance abuse, racial and cultural intolerance, gangs, and other contemporary social problems--manifest themselves in our surroundings. Success in dealing with University Avenue and its urban ills means having an understanding of its root causes.

9.5.2 Promoting Positive Economic Activity

Location and Diversity--An Advantage

Riverside is a socio-economically diverse city, one that reflects a broad makeup of groups, incomes, and backgrounds. Riverside's makeup is reflected not only in its people, but in its businesses as well. In other words, business investment in the city--and along University Avenue will reflect the diversity of the city. Business investment on the Avenue cannot reflect single-focused purposes; it can no more be expected to cater exclusively to upper income shoppers any more than it can be sustained largely by a tourist trade as it was in its heyday. Yet, despite this somewhat obvious recognition, business investment decisions are being driven, to a large extent, by how University Avenue is perceived, rather than by what it can be.

An illustration of how perceptions influence investment decisions can be found with the shopping center complex located at the University/Chicago intersection. Market studies by potential users all to frequently conclude that the general area lacks the retail sales potential or the physical appearance to warrant a major investment in new facilities. Even when marketing data reveals that the intersection

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is within generally accepted driving distances of established markets and trade areas, University Avenue cannot compete against other locations--areas such as Magnolia Center or Canyon Crest. This condition appears true even when there is evidence of pent-up capacity for certain types of retail facilities.

A Supply vs. Demand Enigma

Certainly, one message that comes from this is that University Avenue must be perceived as a place worthy of doing business. If nothing else, the first image which is communicated to potential users when they see the Avenue is crucial "first impression" on which subsequent investment decisions may turn. Yet, a seemingly enigmatic dilemma exists in securing stable economic activity. Does the investment in new business come first and the patrons naturally follow, or does the demand have to exist first for business investment to follow? In reality, both will probably occur together once University Avenue is perceived as changing for the better.

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A New Urban Order

The most fundamental underpinning of the Specific Plan is to bring about a change in direction for the future of University Avenue. Indeed, this chapter of the plan begins by restating the components of the plan which make up its "core" areas, followed by a discussion of those additional implementation strategies which can yield a comprehensive approach to University Avenue's revitalization.

The discussion (and the plan), however, would be incomplete without mentioning the importance of public safety issues as they relate to the perception of University Avenue. The desirability of University Avenue as a place to shop, dine, or buy other goods and services, is directly influenced by patrons' beliefs that the Avenue is a safe place to be. Signs of possible criminal activity, graffiti, run-down properties can quickly establish an area's reputation as being undesirable, and thereby harm the business climate of the street. Moreover, UCR's ability to successfully attract and retain both students and staff is also linked to the fortunes of University Avenue and the perception of safety at the "doorstep" to the campus.

Success in implementing the Specific Plan and fully realizing the revitalization benefits envisioned by the plan also requires a sustained, if not heightened, commitment to public safety concerns. It is imperative that University Avenue be perceived as a safe place to be by both patrons and prospective businesses. Moreover, since business activity generates much of the taxes that support city services, it is important that the business health of the Avenue be regarded as a vital component of the city's overall fiscal health.

9.5.3 Locally-Based Community Action

The Mayor's Task Force for University Avenue, made up of business people, property owners, residents of the Eastside community, and City Staff has been actively working to improve the social and crime problems along University Avenue. Through its efforts, police and code enforcement activities have increased in the area and have had a noticeably positive effect on the Avenue. These activities must continue, at a minimum, at the current level of effort until a critical mass of key projects are implemented, and there is an overall change in the visual, economic, and social environment. Other opportunities exist to build on this effort, such as volunteer police patrols, paintbrush programs, retail business associations and other programs rooted in community activism.

9.5.4 Eastside Community Planning

Because this Specific Plan focuses on University Avenue, this implementation section, out of necessity, focuses on implementation actions for the Avenue itself. Nevertheless, a central thesis of the Specific Plan is to set the stage for a continuation of actions by articulating the critical need for a major update of the Eastside and University Community Plans--components of the Riverside General Plan. The planning process which would take place with the updates would set the stage for advancing the somewhat limited scope of the Specific Plan to the next logical level of urban analysis--incorporating the broad needs of the greater Eastside community into a cohesive and deliberate urban agenda.

9.5.5 Custodian of the Vision

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While a conscience attempt has been made through this Specific Plan to make the process which it embodies as self-executing as possible, the problems associated with University Avenue will require a "custodian of the vision." To be sure, City action in continuing the planning process through to its next logical level--an updated community plan--will maintain a sharp focus on the area. Similarly, Riverside's active redevelopment efforts will help ensure ongoing attention.

Beyond these largely "process-oriented" systems for helping to ensure that ongoing attention is directed to plan implementation, existing interest groups such as community and business committees have the potential to function as key leaders in providing the City with feedback and guidance on plan implementation and helping to ensure that the plan is kept active and current.

Another opportunity for the City is to schedule predictable reviews of the progress of plan implementation. For example, annual progress reviews coupled with formal updates at three- to five-year intervals would help to ensure that momentum is not lost on implementation and would help avoid an unacceptable dating of the plan's relevance to the conditions affecting the Avenue.

9.5.6 A Short List for Immediate Implementation

Soon after adoption of the Specific Plan, the City should embark on a "short list" of immediate implementation actions. The selected actions should represent both an immediate and manageable action agenda. The results of the effort should be a short-term visible change in the character of the Avenue, and rooting of what will become a sustainable, ongoing revitalization effort. It is recommended that the City cause such a short list of projects to be prepared in conjunction with its normal goal setting, project prioritization, and budgeting processes.

9.6 Administration of the Specific Plan

The Specific Plan, primarily in Sections 4.0 and 5.0, establishes development standards for land use, site planning, landscaping, streetscape, circulation and design. The plan will be implemented by the Development Department and the Planning Department, through their normal processes.

The design standards and guidelines, Section 6.0, specifically identifies how projects are to be designed to be compatible with, and enhance, University Avenue. The design guidelines will be implemented through the City's Design Review process.

This section of the Specific Plan describes the processes which are necessary for administration and implementation of the plan, its objectives and component parts.

9.6.1 Approval Process for the Specific Plan

Section 4.0 of the University Avenue Specific Plan indicates draft Land Use designations of the General Plan for the Specific Plan area. Land Use designations for the Specific Plan are consistent with these designations with an exception as to intensities for Consolidated Block Development. This may need to be amended in the General Plan as well as the circulation element in order to reflect the streetscape concept. The Specific Plan portions of the University Community Plan and the Downtown/Central Industrial Development Implementation Plan are superseded by this plan for

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Subdistricts 1 through 4. To avoid confusion, a note should be placed in these plans, indicating that the University Avenue Specific Plan modifies portions of the plans' recommendations.

9.6.2 Specific Plan Amendments

Amendments to the Specific Plan require review and approval by the City of Riverside Planning Commission, and the City Council. Such amendments are governed by the California Government Code, §65500, which requires an application and fee submitted to the Riverside Planning Department stating in detail the reasons for the proposed amendment.

9.6.3 Amendment to the Zoning Code - Relationship to the Specific Plan

Any amendments to the Zoning Code made after the date of adoption of the Specific Plan shall be presumed to govern the Specific Plan in matters of conflict or silence on the part of the Specific Plan, unless the Specific Plan is otherwise amended.

9.6.4 Development Site Plans

All development plans shall be subject to review and approval by the City of Riverside Design Review Board. Applicants for development should consult with the City of Riverside Planning Department for Design Review Board submittal requirements (§19.62 of the Zoning Code) and scheduling.

9.6.5 Environmental Evaluation

All proposed development applications must be accompanied by the environmental information as required within the provisions of Article 5 of the California Environmental Quality Act (CEQA) and all applicable ordinances and resolutions of the City of Riverside.

9.6.6 Appeals

An appeal from any determination, decision, or requirement of staff, Design Review Board or the Planning Commission shall be made to the City Council in conformance to the appeal procedures established by Title 19.